IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.91 OF 2006

Salman Salim Khan ..Petitioner
V/s.
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.V.Marwadi & Dipesh Mehta for the petitioner.

Mrs.M.H.Mhatre APP for State.

Coram : R.S.Mohite,J

Date : 19th January, 2006.

PC

1. Heard both sides. The jurisdiction of this Court under Section 482 of Cr.P.C. is sought to be invoked to impugn an order dated 5.1.2006 passed by the Additional Chief Metropolitan Magistrate, 9th Court, Bandra, in C.C.No.490/PS/2005. The said orders passed in the course of the examination of (PW-1) Ravindra Patil whereby the objections of the defendants to certain questions being asked has been overruled. I have seen the questions which have been asked to the witness in

question. Some of the questions ought not to have been put, for example, the question relating to what the witness said before the police, was the question which was ought to have been avoided. However, it is not desirable that the order which would impede the flow of the trial can be passed. In the circumstances, subject to the clarification that it would be open to the defendants at the stage of argument to question the legality and relevancy of admissibility of any answer, notwithstanding the fact that the question has been allowed by the impugned order dated 5.1.2006. Petition stands finally disposed of.

. Parties to act on an ordinary copy of this order duly authenticated by the Private Secretary of this Court as a true copy.

(R.S.Mohite,J)